

HOWARD LEADER
ATTORNEY AT LAW
11 PARK PLACE
SUITE 1715
NEW YORK, NEW YORK 10007
TELEPHONE (646) 533-7696
FACSIMILE (212) 545-7514
E-MAIL HOWARD.LEADER@GMAIL.COM

VIA ECF

Hon. Lorna G. Schofield
United States District Judge
United States Courthouse
80 Pearl Street
New York, New York 10007

May 13, 2018

United States v. Carlos ZAVALA VELASQUEZ
(S1) 15 Cr. 174 (LGS)

Dear Judge Schofield:

This letter is submitted to advise the Court of the status of sentencing submissions and to request additional time for their completion. We are specifically not requesting any further adjournment of sentencing, scheduled for May 22, 2018 at 4:30 p.m.

By Order dated March 8, 2018, the Court directed that defense sentencing submissions should be made by last Monday, May 7, 2018. The government's response, if any was to be filed this past Friday, May 11, 2018.

Based on an email exchange with the government this past Friday, defense counsel realized that he had inadvertently mis-calendared the due date, erroneously believing they were due tomorrow, May 14, 2018 and that the government's response was due the following Friday, May 18, 2018.

Further, defense counsel has, only in the course of this past week, received additional documents critical to our submission. Some have required translation. There is still one important document outstanding. Counsel is advised this will arrive no later than tomorrow.

Accordingly, counsel is compelled to request, most respectfully, until Tuesday, May 15, 2018 for defense submissions. This will allow counsel not only the time needed to review the document but also the time necessary to incorporate it into the defense's Sentencing Memorandum. In the event that the

Sentencing Memorandum can be submitted earlier, it will be, since it is already substantially complete.

The government advises that it will be responding and, to that end, clearly they must be afforded an adequate opportunity. Accordingly, counsel proposes that the government be given until the end of the week, i.e., May 18, 2018.

As noted earlier, sentencing is scheduled for May 22, 2018 at 4:30 p.m. Counsel has been advised that members of Mr. Zavala's more extended family, including his own mother and father-in-law, have already made arrangements to attend, as have other family members who live here elsewhere in the United States. Changing the date would create a hardship for all concerned. For this reason, in addition to Mr. Zavala's intense desire to conclude this process, we ask the Court not to change the sentencing date.

Counsel understands that the Court would no doubt prefer to have longer to consider the matters that will be raised. Counsel can only apologize for the delay in submitting. However, this was due to a combination of counsel's error and the need to incorporate late-arriving documents that are necessary for the adequate defense of Mr. Zavala and arguments in mitigation of his sentencing.

Nonetheless, counsel apologizes profusely for the error and for any inconvenience this combination of circumstances must cause the Court.

Respectfully submitted,

/s/

HOWARD LEADER

cc: Emil J. Bove, III, Esq.

Matthew J. Laroche, Esq.

Assistant United States Attorney

(VIA EMAIL AND ECF)